Case3:07-md-01827-SI Document3378 Filed08/26/11 Page1 of 10

Case3:07-md-01827-SI Document3378 Filed08/26/11 Page2 of 10

1	P.C. RICHARD & SON LONG ISLAND
2	CORPORATION; MARTA COOPERATIVE OF AMERICA, INC. and ABC APPLIANCE, INC.
3	Plaintiffs,
4	
5	VS.
6	AU OPTRONICS CORPORATION, et al.,
7	Defendants.
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	

25

26

27

28

1	WHEREAS, plaintiffs Interbond Corporation of America d/b/a BrandsMart USA
2	("BrandsMart") and P.C. Richard & Son Long Island Corporation, MARTA Cooperative of
3	America, Inc. and ABC Appliance, Inc. ("collectively, PC Richard Plaintiffs") filed complaints in
4	the above-captioned cases against AU Optronics Corporation, AU Optronics Corporation America,
5	Chi Mei Optoelectronics Corporation, Chi Mei Optoelectronics USA, Inc., CMO Japan Co., Ltd.,
6	Epson Electronics America, Inc., Epson Imaging Devices Corporation, HannStar Display
7	Corporation, Hitachi Electronic Devices (USA), Inc., Hitachi, Ltd., Hitachi Displays, Ltd., LG
8	Display Co., Ltd., LG Display America, Inc. Mitsui & Co. (Taiwan), Ltd., Mitsui & Co. (USA),
9	Inc., NEC Corporation of America, NEC Display Solutions of America, Inc., NEC Electronics
10	America, Inc., Samsung Electronics America, Inc., Samsung Electronics Co., Inc., Samsung
11	Semiconductor, Inc., Sanyo Consumer Electronics Co., Ltd., Sharp Corporation, Sharp Electronics
12	Corporation, Tatung Company of America, Inc., Toshiba America Electronic Components, Inc.,
13	Toshiba America Information Systems, Inc., Toshiba Corporation, and Toshiba Mobile Display
14	Co., Ltd. (collectively, "Stipulating Defendants") on June 3, 2011 and June 15, 2011, respectively
15	("Complaints");
16	WHEREAS, BrandsMart and PC Richard Plaintiffs wish to avoid the burden and expense
17	of serving process on the Stipulating Defendants;
18	WHEREAS, the Stipulating Defendants desire a reasonable amount of time to respond to
19	the Complaints; and
20	WHEREAS, BrandsMart, PC Richard Plaintiffs and the Stipulating Defendants believe
21	that proceeding on a unified response date will create efficiency for the Court and the parties.
22	NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
23	undersigned counsel, on behalf of their respective clients, BrandsMart and PC Richard Plaintiffs,
24	on the one hand, and the Stipulating Defendants, on the other hand, as follows:

1. The Stipulating Defendants waive service of the Complaints under Federal Rule of Civil Procedure 4(d). This stipulation does not constitute a waiver by the Stipulating Defendants of any other substantive or procedural defense, including but not limited to the defenses of lack of personal or subject matter jurisdiction and improper venue.

Case3:07-md-01827-SI Document3378 Filed08/26/11 Page4 of 10

1	2. The Stipulating Defe	ndants' deadline to move to dismiss, answer, or otherwise
2	respond to the Complaints will be no	inety (90) days from the execution of this stipulation, subject
3	to Federal Rule of Civil Procedure 6	5(a)(1).
4	DATED: July 8, 2011	/s/ William A. Isaacson
5		William A. Isaacson (admitted <i>pro hac vice</i>) BOIES, SCHILLER & FLEXNER LLP 5301 Wisconsin Ave. NW, Suite 800
6		Washington, D.C. 20015 Telephone: (202) 237-2727
7		Facsimile: (202) 237-6131 Email: wisaacson@bsfllp.com
8		<u> </u>
9		Philip J. Iovieno (admitted <i>pro hac vice</i>) Anne M. Nardacci (admitted <i>pro hac vice</i>) Christopher V. Fenlon (admitted <i>pro hac vice</i>)
10		BOIES, SCHILLER & FLEXNER LLP 10 North Pearl Street, 4th Floor
		Albany, NY 12207 Telephone: (518) 434-0600
12		Facsimile: (518) 434-0665 Email: piovieno@bsfllp.com
13		anardacci@bsfllp.com cfenlon@bsfllp.com
14		Stuart H. Singer (admitted <i>pro hac vice</i>)
15		BOIES, SCHILLÈR & FLÉXNER LLP 401 E. Las Olas Blvd., Suite 1200
16		Ft. Lauderdale, FL 33301 Telephone: (954) 356-0011
17		Facsimile: (954) 356-0022 Email: ssinger@bsfllp.com
18		
19		Counsel for Plaintiffs Interbond Corporation of America, P.C. Richard & Son Long Island Composition, MARTA Composition of
20		Long Island Corporation, MARTA Cooperative of America, Inc. and ABC Appliance, Inc.
21		/s/ Christopher A. Nedeau
22		Christopher A. Nedeau (CA Bar No. 81297) Carl L. Blumenstein (CA Bar No. 124158)
23		Katharine Chao (CA Bar No. 247571) NOSSAMAN LLP
24		50 California Street, 34th Floor San Francisco, California 94111-4799
25		(415) 398-3600 (Phone) (415) 398-2438 (Facsimile)
26		cnedeau@nossaman.com cblumenstein@nossaman.com kchao@nossaman.com
27		
28		Counsel for Defendants AU Optronics Corporation and AU Optronics Corporation America

Case3:07-md-01827-SI Document3378 Filed08/26/11 Page5 of 10

1	/s/ Neal A. Potischman
1	Christopher B. Hockett (SBN 121539)
2	Neal A. Potischman (SBN 254862) Sandra West (SBN 250389)
2	Sandra West (SBN 250389) Samantha H. Knox (SBN 254427)
3	Micah G. Block (SBN 270712)
4	DAVIS POLK & WARDWELL LLP
5	1600 El Camino Real
5	Menlo Park, California 94025
6	(650) 752-2000 / (650) 752-2111 chris.hockett@davispolk.com
7	neal.potischman@davispolk.com
´	sandra.west@davispolk.com
8	samantha.knox@davispolk.com
9	micah.block@davispolk.com
10	Jonathan D. Martin (admitted pro hac vice)
1.1	Bradley R. Hansen (admitted pro hac vice) DAVIS POLK & WARDWELL LLP
11	450 Lexington Avenue
12	New York, New York 10017
12	(212) 450-4000 / (212) 701-5800
13	jonathan.martin@davispolk.com
14	bradley.hansen@davispolk.com
15	Counsel for Defendants Chimei Innolux Corporation
1.0	(f/k/a Chi Mei Optoelectronics Corp.), Chi Mei Optoelectronics USA, Inc., and CMO Japan Co., Ltd.
16	oproceed ornes Cost, their chief tapan cost, situa
17	/s/ Stephen P. Freccero
18	Melvin R. Goldman (CA Bar No. 34097) Stephen P. Freccero (CA Bar No. 131093)
10	Derek F. Foran (CA Bar No. 224569)
19	MORRISON & FOERSTER LLP 425 Market Street
20	San Francisco, CA 94105-2482
	(415) 268-7000 (Phone)
21	(415) 268-7522 (Facsimile) mgoldman@mofo.com
22	sfreccero@mofo.com
	dforan@mofo.com
23	Counsel for Defendants Epson Electronics America, Inc.
24	and Epson Imaging Devices Corporation
25	
26	
27	
28	

Case3:07-md-01827-SI Document3378 Filed08/26/11 Page6 of 10

1	/s/ Ramona M. Emerson
2	Hugh F. Bangasser (pro hac vice)
_	Ramona M. Emerson (pro hac vice)
3	Christopher M. Wyant (pro hac vice)
	K&L GATES LLP
4	925 Fourth Avenue, Suite 2900
5	Seattle, WA 98104
	(206) 623-7580 (Phone) (206) 370-6371 (Facsimile)
6	romana.emerson@klgates.com
7	, omana.emer som en me gares.eom
′	Jeffrey L. Bornstein, (CA State Bar No. 99358)
8	K&L GATES LLP Four Embarcadero Center, Suite 1200
	San Francisco, CA 94111
9	Phone: (415) 249-1059
10	Fax: (415) 882-8220
	Comment for Defendant House Compiler Comment in
11	Counsel for Defendant HannStar Display Corporation
12	/s/ Kent M. Roger
	Kent M. Roger (CA Bar No. 95987)
13	Michelle Kim-Szrom (CA Bar No. 252901)
	Jennifer L. Calvert (CA Bar No. 258018)
14	MORGAN LEWIS & BOCKIUS LLP
15	One Market, Spear Street Tower
1.5	San Francisco, CA 94105-1126 (415) 442-1000 (Phone)
16	(415) 442-1000 (Facsimile)
	kroger@morganlewis.com
17	mkim-szrom@morganlewis.com
18	jennifer.calvert@morganlewis.com
10	Counsal for Defendants Hitachi, Ltd. Hitachi Displays
19	Counsel for Defendants Hitachi, Ltd., Hitachi Displays, Ltd. and Hitachi Electronic Devices (USA), Inc.
20	Eta. ana Huachi Electronic Devices (OSA), Inc.
20	/s/ Michael R. Lazerwitz
21	Michael R. Lazerwitz, Esq.
	Lee F. Berger, Esq. CLEARY GOTTLIEB STEEN &
22	HAMILTON LLP
23	2000 Pennsylvania Avenue, NW
23	Washington, DC 20006
24	Telephone: (202) 974-1500
_	Facsimile: (202) 974-1999 Email: mlazerwitz@cgsh.com
25	lberger@cgsh.com
26	
_	Counsel for Defendants LG Display Co. Ltd.
27	and LG Display America, Inc.
28	
۷٥	

Case3:07-md-01827-SI Document3378 Filed08/26/11 Page7 of 10

1	/s/ Michael E. Mumford
2	Paul P. Eyre
	Ernest E. Vargo Michael E. Mumford
3	BAKER & HOSTETLER LLP PNC Center
4	1900 East Ninth Street, Suite 3200
5	Cleveland, Ohio 44114-3482 (216) 621-0200 (Phone)
6	(216) 696-0740 (Facsimile)
	peyre@bakerlaw.com evargo@bakerlaw.com
7	mmumford@bakerlaw.com
8	Counsel for Defendant Mitsui & Co. (Taiwan), Ltd. and
9	Mitsui & Co. (U.S.A.), Inc.
10	/s/ George D. Niespolo
	George D. Niespolo (CA Bar No. 72107) Stephen H. Sutro (CA Bar No. 172168)
11	DUANE MORRIS LLP
12	1 Market, Spear Tower, Suite 2200 San Francisco, CA 94105-1104
13	(415) 957-3000 (Phone) (415) 957-3001 (Facsimile)
	gdniespolo@duanemorris.com
14	shsutro@duanemorris.com
15	Counsel for Defendants NEC Corporation of America,
16	NEC Display Solutions of America, Inc., and NEC Electronics America, Inc.
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	

Case3:07-md-01827-SI Document3378 Filed08/26/11 Page8 of 10

1	<u>/s/ Neil K. Roman</u>
2	Robert D. Wick (Pro hac vice) Derek Ludwin (Pro hac vice)
	Neil K. Roman (Pro hac vice)
3	COVINGTON & BURLING LLP 1201 Pennsylvania Avenue, N.W.
4	Washington, DC 20004
5	(202) 662-6000 (Phone) (202) 662-6291 (Facsimile)
	rwick@cov.com
6	dludwin@cov.com nroman@cov.com
7	
8	Simon J. Frankel Jeffrey Michael Davidson
	COVÍNGTON & BURLING LLP
9	One Front Street San Francisco, CA 94111
10	415-591-6000
11	Fax: 415-591-6091
11	Email: sfrankel@cov.com jdavidson@cov.com
12	·
13	Counsel for Defendants Samsung Semiconductor, Inc., Samsung Electronics
14	Co., Ltd., and Samsung Electronics America, Inc.
17	
15	/s/ Allison A. Davis
16	Allison A. Davis (CA Bar No. 139203) DAVIS WRIGHT TREMAINE LLP
17	505 Montgomery Street, Suite 800
1 /	San Francisco, CA 94111-6533 (415) 276-6500 (Phone)
18	(415) 276-6599 (Facsimile)
19	allisondavis@dwt.com
20	Nick S. Verwolf (pro hac vice)
20	DAVIS WRIGHT TREMAINE LLP
21	777 – 108 th Ave. N.E., Suite 2300 Bellevue, WA 98004
22	(425) 646-6125 (Phone)
23	(425) 646-6199 (Facsimile)
23	nickverwolf@dwt.com
24	Counsel for Defendant Sanyo Consumer Electronics Co.,
25	Ltd.
26	
27	
28	

Case3:07-md-01827-SI Document3378 Filed08/26/11 Page9 of 10

1	/s/ Jacob R. Sorensen
2	John M. Grenfell (CA Bar No. 88500)
2	Jacob R. Sorensen (CA Bar No. 209134)
3	Fusae Nara (<i>pro hac vice</i>) PILLSBURY WINTHROP SHAW PITTMAN LLP
	50 Fremont Street
4	San Francisco, CA 94105
5	(415) 983-1000 (Phone)
	(415) 983-1200 (Facsimile) john.grenfell@pillsburylaw.com
6	jake.sorensen@pillsburylaw.com
7	fusae.nara@pillsburylaw.com
8	Counsel for Defendants Sharp Corporation and Sharp
8	Electronics Corporation
9	/s/ Rachel S. Brass
10	Rachel S. Brass
	GIBSON, DUNN & CRUTCHER LLP
11	555 Mission Street, Suite 3000
12	San Francisco, CA 94105-2933 (415) 393-8200 (Phone)
12	(415) 393-8306 (Facsimile)
13	rbrass@gibsondunn.com
14	Counsel for Defendant Tatung Company of America, Inc.
15	<u>/s/ John H. Chung</u>
16	John H. Chung
16	WHITE & CASE LLP 1155 Avenue of the Americas
17	New York, NY 10036-2787
	(212) 819-8200 (Phone)
18	(212) 354-8113 (Facsimile)
19	jchung@whitecase.com
_	Counsel for Defendants Toshiba Corporation, Toshiba
20	America Electronic Components, Inc., Toshiba America
21	Information Systems, Inc., and Toshiba Mobile Display Co., Ltd.
22	
	Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of
23	this document has been obtained from stipulating defendants.
24	
25	
26	
27	
28	

Case3:07-md-01827-SI Document3378 Filed08/26/11 Page10 of 10

1	IT IS SO ORDERED.
2	
3	Dated:8/25, 2011
4	Suran Staton
5	Susan Illston, United States District Judge
6	Susual Instell, Similar Similar Guage
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18 19	
20	
21	
22	
23	
24	
25	
26	
27	

28